

TOWN OF HARPSWELL  
COMMUNICATIONS ADVISORY COMMITTEE  
Meeting of January 7, 2010  
Approved Minutes

Committee Members Present: David I. Chipman  
Alan M. Shaver  
C.V. Noyes

Guest: Jay Somers, Senior Manager  
Government & Community Relations  
Comcast Cable

Town Staff Present: Kristi Eiane, Town Administrator  
Melissa Moretti, Recording Secretary

The meeting opened at 2:45 PM at the Harpswell Town Office, 263 Mountain Road, Harpswell, Maine.

The Recording Secretary gave members of the Committee handouts:

- Draft of the Proposed Franchise Agreement dated January 1, 2010
- “Summary of Unresolved Matters” – January 7, 2010
- Draft of side agreement
- Proposed language of the service clause addressed on Pg. 17 of the Agreement
- Minutes of June 18, 2009
- Minutes of November 20, 2009

Mr. Somers addressed items listed on the “Summary of Unresolved Matters”:

Side Agreement Issues:

1) Mr. Somers said Comcast had an issue with providing internet service at no cost to the Town. There was discussion regarding a “technology grant” which could be negotiated with Comcast, and options were discussed. Fees were discussed based on 1937 subscribers. The average franchise fee per subscriber would total \$.31 for \$72,000 in grant funding (the \$60,000 amount the Town requested plus \$12,000).

Mr. Somers said that schools and libraries are covered under a Comcast national policy; that would be left in the side agreement.

He said he would check on the three fire departments; it was confirmed that they are 501-C(3) entities (non-profit) and not controlled by the Town.

Mr. Somers stated that, as of about three years ago, Comcast stopped providing free internet access to municipalities.

2) Mr. Chipman explained how the interactive audio and video for the area schools presently operated, and that the Town wanted Harpswell schools to tie in to Topsham schools

since they are all part of SAD75. Mr. Somers said he would check in to whether they could be connected through the head end.

3) Mr. Somers said he would check in to the issue of the program guide on Channel 3. He discussed future expansion of technological services, i.e. bandwidth, converter boxes, etc. The Committee decided to remove this item from the list of requests.

4) & 5) Mr. Somers provided a handout with Comcast's proposed language regarding public, educational and governmental ("PEG") programming.

6) Regarding the requested extensions, Mr. Somers said he had "no problem" with Hamilton Place; the Town also requested Stevens Corner. Sage Road, the Committee decided, would probably have to be paid for privately.

Mr. Somers said he would get back to Ms. Eiane next week with Comcast's responses to the Town's requests.

Changes to the proposed Franchise Agreement were discussed:

Mr. Somers said Comcast could not agree to the Town's proposed language set forth in Pg. 17 of the Agreement, and distributed the language that Comcast proposed. The definition of "demarcation" in the language was clarified. There was discussion regarding the future availability of advanced technology to Harpswell subscribers.

Mr. Shaver addressed the proposed change to Sec. 27 on Pg. 32 of the Agreement regarding rights-of-way; Mr. Somers said he would look into it.

Mr. Shaver addressed the language on Pg. 23, Sec. 16B, "Channels," and asked about the addition of stereo audio for Channel 14; Mr. Somers said they already had it. Mr. Chipman said he would like it on Channel 3, also.

The wording of Sec. 16C, Pg. 24, regarding a PEG Access capital equipment grant of \$60,000 was discussed. It was decided that Comcast would pay \$40,000 within 90 days after signing of the renewal lease, \$20,000 to be paid at the beginning of the fourth year of the renewal (April 1, 2014), and the balance of \$12,000 to be paid at the beginning of the eighth year of the renewal (April 1, 2018).

The effective date of the Franchise Agreement was agreed to be April 1, 2010.

Clarification was requested regarding blanks in the proposed language of the Agreement, one blank on Pg. 9 and one blank on Pg. 12. Both blanks were determined to have the same information inserted: 750 MHz.

It was decided that the "any and all service" clause on Pg. 17 should be addressed in the side agreement.

The Minutes of June 18, 2009 and November 20, 2009 were approved by the Committee.

The next meeting of the Committee is scheduled for February 4, 2010 at 3:00 PM; Mr. Somers will be invited to attend.

The meeting adjourned at 4:20 PM.

Respectfully submitted,

Melissa Moretti  
Recording Secretary